

106th TN General Assembly

First Regular Session



Thursday, April 9, 2009

Senate – 21st Legislative Day House – 22nd Legislative Day

SENATE

BILLS / RESOLUTIONS

- SR 0059 by *Norris**
Memorials, Recognition - River of Life Assembly of God Church, 80th anniversary -
- SJR 0265 by *Yager**
Memorials, Academic Achievement - Joshua M. Slaven, Valedictorian, Oneida High School -
- SJR 0266 by *Finney L**
Memorials, Death - Judge Whit LaFon -
- SJR 0267 by *Finney L**
Memorials, Death - George Clifford "Kip" Reel, Jr. -
- SJR 0268 by *Barnes**
Memorials, Academic Achievement - Ethan Page Dillard, Co-Valedictorian, Houston County High School
- SJR 0269 by *Barnes**
Memorials, Academic Achievement - Erik Scott Simpson, Co-Valedictorian, Houston County High School -
- SJR 0270 by *Barnes**
Memorials, Academic Achievement - Kayla Lynn Meyer, Co-Valedictorian, Houston County High School
- SJR 0271 by *Barnes**
Memorials, Academic Achievement - Brittney Lynn Clark, Co-Valedictorian, Houston County High School -
- SJR 0272 by *Barnes**
Memorials, Academic Achievement - Andrew Ray Simmons, Co-Valedictorian, Houston County High School -
- SJR 0273 by *Barnes**
Memorials, Academic Achievement - Taylor Walker, Valedictorian, Harpeth High School -
- SJR 0274 by *Barnes**
Memorials, Academic Achievement - Katelyn Hasse, Valedictorian, Harpeth High School -
- SJR 0275 by *Barnes**
Memorials, Academic Achievement - Steven Henderson, Salutatorian, Northwest High School -
- SJR 0276 by *Barnes**
Memorials, Academic Achievement - Jennifer Baldwin, Valedictorian, Northwest High School -
- SJR 0277 by *Barnes**
Memorials, Academic Achievement - Bonnie Pociask, Salutatorian, Kenwood High School -
- SJR 0278 by *Barnes**
Memorials, Academic Achievement - Amber VanHouten, Valedictorian, Kenwood High School -

(Senate Resolutions cont.)

SJR 0279 by *Barnes

Memorials, Academic Achievement - Hannah Hendricks, Salutatorian, Clarksville High School -

SJR 0280 by *Barnes

Memorials, Academic Achievement - Marco Martinez, Valedictorian, Clarksville High School -

SJR 0281 by *Barnes

Memorials, Academic Achievement - Holly Paige Batey, Salutatorian, Montgomery Central High School -

SJR 0282 by *Barnes

Memorials, Academic Achievement - Kayla Mechelle Bearden, Valedictorian, Montgomery Central High School -

SJR 0283 by *Barnes

Memorials, Academic Achievement - Sarah Best, Valedictorian, Northeast High School -

SJR 0284 by *Barnes

Memorials, Academic Achievement - Cristina Gonzalez, Salutatorian, Northeast High School -

SJR 0285 by *Barnes

Memorials, Academic Achievement - Rachel Nicole Ridenour, Salutatorian, Middle College at Austin Peay State University -

SJR 0286 by *Ford, O.

Memorials, Death - James A. Hyter -

SJR 0287 by *Burchett, Woodson, McNally

Memorials, Recognition - Dr. John Peterson -

***SJR 0288 by *Kyle, Barnes**

General Assembly, Confirmation of Appointment - Julie Schuster, Tennessee Wildlife Resources Commission -

***SJR 0289 by *Kyle, Herron**

General Assembly, Confirmation of Appointment - Jeffrey H. Griggs, Tennessee Wildlife Resources Commission -

***SJR 0290 by *Kyle, Watson**

General Assembly, Confirmation of Appointment - Judge William L. Brown, Tennessee Wildlife Resources Commission -

SJR 0291 by *Watson

Memorials, Public Service - Marcus Shropshire, Boys and Girls Club of Chattanooga 2009 Youth of the Year -

SJR 0292 by *Barnes

Memorials, Academic Achievement - Zserilyn Mache' Finney, Valedictorian, Middle College at Austin Peay State University -

SJR 0293 by *Barnes

Memorials, Academic Achievement - Morgan Elizabeth Gill, Co-Valedictorian, Houston County High School -

SJR 0294 by *Barnes

Memorials, Academic Achievement - Ashlyn Joy Fussell, Co-Valedictorian, Houston County High School

THIRD CONSIDERATION

Consent Calendar:

SJR's 235, 236 – ADOPTED 32-0.

SJR 240 – RE-SET to 4/13/09.

SJR's 241, 242, 243, 245, 246, 247 – ADOPTED 32-0.

SR's 51, 52, 53, 54, 55 – ADOPTED 32-0.

HJR's 186, 255, 256 – CONCURRED 32-0.

Consent Calendar #2:

SB's 404, 918, 941, 2068, 2294 – PASSED 32-0.

(Third Considerations – Regular Calendar cont.)

Regular Calendar:

SB 298 – RE-REF to FW&M.
SB 322 – s/c HB 383 – PASSED 32-0.
SB 395 – Amd. #1 ad. – PASSED AS AMENDED 33-0.
SB 405 – Amd. #1 ad. – PASSED AS AMENDED 33-0.
SB 680 – Amd. #1 ad. – PASSED AS AMENDED 33-0.
SB 695 – Amd. #1 ad. – PASSED AS AMENDED 30-0.
SB 712 – Amd. #1 ad. – PASSED AS AMENDED 33-0.
SB 804 – s/c HB 643 – PASSED 33-0.
SB 1073 – RE-SET to 4/16/09.
SB 1089 – Amds. #1, 2 ad. – PASSED AS AMENDED 33-0.
SB 1443 – RE-SET to 4/16/09.
SB 1758 – Amd. #1 ad. – PASSED AS AMENDED 33-0.
SB 1759 – Amd. 31 ad. – PASSED AS AMENDED 33-0.
SB 1907 – Amds. #1 to 1, 1 ad. – PASSED AS AMENDED 33-0.
SB 2276 – Amd. #1 ad. – PASSED AS AMENDED 33-0.
SB 303 – Amd. #2 ad. – PASSED AS AMENDED 32-0.
SB 881 – Amd. 31 ad. – PASSED AS AMENDED 29-0.
SB 2037 – RE-SET to 4/13/09.
SJR 253 – RE-ST to 4/16/09.
SB 113 – Amds. #1, 2 ad. – PASSED AS AMENDED 32-0.
SB 554 – s/c HB 254 – Amd. #1 ad. – PASSED AS AMENDED 32-0.
SB 832 – s/c HB 533 – Amd. #1 ad. – PASSED AS AMENDED 30-3.
SB 2211 – Amd. #1 ad. – PASSED AS AMENDED 33-0.
SB 32 – s/c HB 46 – PASSED 30-1.
SB 1084 – PASSED 32-0.
SB 1359 – Amd. #1 ad. – PASSED AS AMENDED 33-0.

Message Calendar:

SB 110 – H Amd. #1 CONCURRED.
SB 256 – H Amd. #1 CONCURRED 33-0.
SB 389 – H Amd. #3 CONCURRED 33-0.
SB 437 – H Amd. #1 CONCURRED 33-0.
SB 801 – H Amd. #1 CONCURRED 32-0.
SB 1383 – H Amd. #1 CONCURRED 32-0.
SB 1538 – H Amd. #1 CONCURRED 33-0.

OTHER ACTION

SJR 86 – WITHDRAWN.
SJR 258 – s/r ADOPTED v.v.
SB's 816, 1145 – WITHDRAWN.
HJR 293 – s/r CONCURRED v.v.

COMMITTEE CALENDARS FOR TUESDAY, APRIL 14, 2009

EDUCATION – SHR #12 – 3:30 p.m. –

SB's 1173, 1957, 2030, 2056, 2017, 1774, 1775, 1782, 1825, 2337, 452, 1708, 1718, 1884, 930, 81, 979, 982, 1313, 1320, 1321, 681, 1719, SJR 102, SB's 64, 422, 433, 483, 482, 477, 1262, 1237, 1234, 1242, 1250, 1222, 1730, 2170, 67, 48, 1913, 171, 978, 251, 417, 823, 1742, 1743. Budget Presentations: State Board of Education; TN Department of Education; TN Education Lottery Corporation.

ENVIRONMENT, CONSERVATION & TOURISM – SHR #12 – 11:30 a.m. –

SB's 1404, 2225, 2180, 687, 819, 631. Budget Presentations: TN Department of Tourist Development.

(4/14/09 Committee Calendars cont.)

JUDICIARY – SHR #12 – 1:30 p.m. –

SB's 673, 910, 683, 1283, 66, 481, 70, 1976, 497, 1525, 1557, 537, 275, 10, 2102, 474, 476, SJR 77, SB's 261, 444, 965, 2296, 1333, 1338, 1692, 1168, 1709, 1776, 1783, 1797, 1800, 1805, 1806, 1807. Budget

Presentations: TN Bureau of Investigation; Attorney General & Reporter.

STATE & LOCAL GOVERNMENT – SHR #12 – 8:00 a.m. –

Consent: HJR's 120, 223, SJR's 239, 244, 263, 264.

Regular: SB's 2184, 104, 206, 1564, 2110, 2111, 2300, 1833, 1887, 2191, 748, 164, 205, 208, 663, 2186, 2116, 2027, 139, 161, 162, 543, 1683. Budget Presentations: TN Registry of Election Finance; Alcoholic Beverage Commission; TN Corrections Institute; Department of Correction.

TRANSPORTATION – SHR #12 – 10:30 a.m. –

Consent: SB's 267, 911, 977, 1269, 1486, 2145, 2336, SJR's 230, 231, 232, 233, 234.

Regular: SB's 56, 58, 63, 1279, 500, 1502, 1515, 1528, 1934, 1135, 1485, 1471, 300, 1938, 485, 2286, 2288, 2289, 1067, 1068, 1748, 796, 921, 207, 1106, 1339, 1340, 2101, 289, 1117, 1325, 1154, 1989, 1150, 2092, 747, 1911, 2175, 768, 613, 970, 971, 1329, 1949. Conclusion of Budget Hearing for TN Department of Transportation.

COMMITTEE CALENDARS FOR WEDNESDAY, APRIL 15, 2009

COMMERCE, LABOR & AGRICULTURE – SHR #12 – 11:00 a.m. –

SB's 812, 1364, 2055, 2299, 1500, 1909, 1524, 1574, 430, 1567, 2000, 2001, 2162, 2231, 1297, 1680, 1924, 607, 1952, 1180, 1201, 1311, 1326, 1215, 1138, 1896, 1898, 1923, 1456, 1439, 2147, 2315, 403, 1762, 1767, 1763, 258, 1672, 2189, 2284, 1755, 1204, 774, 1717, 1710, 1627, 199, 1278, 1276, 913, 2218, 1508, 2075, 915, 991, 2063, 472, 1375, 1384, 1385, 1387, 1919, 273, 1745, 224, 1099. Budget Presentations: Department of Commerce & Insurance; Department of Economic & Community Development of Financial Institutions.

FINANCE,WAYS & MEANS – SHR #12 – 12:30 p.m. –

Consent: SB's 1761, 2058

Regular: SB's 393, 414, 861, 1158, 1277, 1292, 1309, 1667, 2169, 2271, 2305. Budget Hearing: Department of Finance & Administration – Cover TN; Presentation: TN Technology Development Corporation.

GENERAL WELFARE, HEALTH & HUMAN RESOURCES – SHR #12 – 8:00 a.m. -

SB's 1092, 2006, 851, 855, 809, 1714, 939, 1716, 1552, 645, 454, 772, 644, 1495, 464, 465, 466, 606, 2265, 109, 860, 1786, 778, 806, 985, 441, 451, 779, 2314, 2316. Budget Presentations: Commission on Aging & Disability; Department of Health; Department of Children's Services.

GOVERNMENT OPERATIONS – SHR #12 – 10:00 a.m. –

SB's 1049, 361. Discussion on Higher Education: TN Higher Education Commission; TN Board of Regents; University of TN Board of Trustees.

SENATE CONVENES AT 5:00 P.M., MONDAY, APRIL 13, 2009

HOUSE

BILLS / RESOLUTIONS

HB's 2394 – 2396 were introduced and passed on first consideration.

Received from Senate, held on House desk – SB's 11, 810, 893, 1010, 1057, 1556, 1647, 1925, 2103, 2149.

SECOND CONSIDERATION

CONSUMER & EMPLOYEE AFFAIRS – HB 1471.

HEALTH & HUMAN RESOURCES – HB 2167.

JUDICIARY – HB 190, 714.

STATE & LOCAL GOVERNMENT – HB 382.

THIRD CONSIDERATION

Consent Calendar:

HR 53 – ADOPTED 94-0-1.

HJR's 254, 287, 288, 289, 290, 291, 294, 295, 296, 297 – ADOPTED 94-0-1.

HJR's 298, 299, 300, 301, 302, 303, 304, 305, 306, 307 – ADOPTED 94-0-1.

SJR's 158, 159, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217 – CONCURRED 94-0-1.

SJR's 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229 – CONCURRED 94-0-1.

Regular Calendar:

HB 1601 – PASSED 95-0.

HB 465 – RE-SET to 4/13/09.

HB 1978 – s/c SB 2050 – PASSED 94-0.

HB 1045 – HELD on desk.

HB 2381 – PASSED 94-0.

HB 2384 – PASSED 69-22-2.

HB 2365 – s/c SB 2221 – PASSED 62-25-6.

HB 623 – s/c SB 284 – Amd. #1 ad. – PASSED AS AMENDED 95-0.

HB 1272 – s/c SB 1212 – Amd. #1 ad. – PASSED AS AMENDED 93-0-1.

HB 713 – PASSED 95-0.

HB 1494 – s/c SB 1582 – Amd. #1 ad. – PASSED AS AMENDED 94-0.

HB 326 – s/c SB 810 – PASSED 95-0.

HB 329 – s/c SB 853 – PASSED 93-1.

HB 374 – Amd. #1 ad. – PASSED AS AMENDED 83-9-2.

HB 1413 – PASSED 73-14-6

HB 2378 – PASSED 68-23-2.

HB 2306 – s/c SB 2259 – PASSED 82-2-3.

HB 1247 – PASSED 95-0.

HB 1141 – s/c SB 867 – PASSED 93-0.

HB 1142 – s/c SB 866 – PASSED 95-0.

HB 1375 – Amd. #1 ad. – PASSED AS AMENDED 93-0-1.

HB 604 – Amd. #1 ad. – PASSED AS AMENDED 95-0.

OTHER ACTION

HB's 9, 342, 585, 833, 834, 913, 914, 1181 – WITHDRAWN.

HJR 251 – s/r ADOPTED 93-0-2.

HJR 316 – s/r ADOPTED 94-0-1.

HJR 317 – s/r ADOPTED 94-0-1.

SJR 258 – s/r CONCURRED 94-0-1.

HB 1573 – s/r Added to S&L calendar for next week.

COMMITTEE REPORT

CALENDAR & RULES – HHR #16 – 8:00 a.m. –

Reg. Cal. 4/13 – HB's 888, 2301, 875, 876, 16, 1424, 304, 310, 2336, 2218, 2300, 996, 1018, 1061, 1062, 1072, 1079, 1103.

Con. Cal. 4/13 – HB's 2073, 2277, 519, 1010, 1013, 1042, 1054, 1057, 1095, 1099, 1816.

Action def. – HB's 1831, 1843, 1028.

Re-Ref to FW&M – SJR 127.

Re-Ref to Govt. Ops – HB 1098.

COMMITTEE CALENDARS FOR TUESDAY, APRIL 14, 2009

AGRICULTURE – HHR #29 – 9:15 a.m. –

NO BILLS ON NOTICE – Committee will meet. As Day on the Hill 2009. Various speakers and activities.

CALENDAR & RULES – HHR #16 – 8:00 a.m. –

HB's 249, 356, 1387, 1405, HJR 52, HB's 1554, 626, 620, 1820, 347, 891, HJR 27, HB's 2015, 66, 389, 395, 1108, 1552, 1778, 1311, 1444, 1367.

COMMERCE – HHR #16 – 9:15 a.m. –

HB's 1698, 1303, 595, 518, 738, 981, 2312, 1922, 1517, 1349.

CONSERVATION & ENVIRONMENT – HHR #29 – 10:30 a.m. –

HB's 661, 1250, 1307, 2248.

CONSUMER & EMPLOYEE AFFAIRS – HHR #29 – 3:00 p.m. –

HB's 2092, 1161, 1286, 1876, 2324.

FINANCE, WAYS & MEANS – HHR #16 – 1:30 p.m. –

HB's 336, 487, 488, 491, 602, 716, 1934, 352, 355, 644, 889, 985, 1187, 1549, 1581, 1720, 211, 2294, HJR 78.

Budget Hearings: TN Technology Development Corporation Presentation; 2008-2009 Program Expansion Reports No, 17-52 Review.

HEALTH & HUMAN RESOURCES – HHR #16 – 10:30 a.m. –

HB's 106, 1106, 1410, 1821, 1833, 1998, 2136.

STATE & LOCAL GOVERNMENT – HHR #16 – 12:00 noon –

HB's 341, 492, 493, 1117, 1628, 2007, 2074, 2075, 1977, 1980, 2127, 2313, 1510, 204, 417, 647, 1535, 780, 781, 845, HJR 7, HB's 939, 2177, 980, 337, 1115, 1580, 1741, 1822, 1905, 1946, 2134, 2168, 2170, 2310, 2357, HJR 5, HB 1573.

TRANSPORTATION – HHR #16 – 3:00 p.m. –

HB's 1442, 1263, 447, 1539, 1376, 2069, 1605, 244, 706, 1215, 1335, 415.

COMMITTEE CALENDARS FOR WEDNESDAY, APRIL 15, 2009

CHILDREN & FAMILY AFFAIRS – HHR #16 – 8:30 a.m. –

HB's 929, 202, 1679, 806, 321, 1557, 237, 1105, 1305, 2262.

EDUCATION – HHR #16 – 11:00 a.m. –

HB 92, HJR 33, HB's 694, 375, 376, 230, 474, 839, 1911, 2257, 2258, 451, 2292, 883, 1306, 364, 1143, 1487, 1917, 324, 446, 556, 1104, 2008.

GOVERNMENT OPERATIONS – HHR #29 – 10:00 a.m. –

HB's 997, 1023, 1025, 1026, 1027, 1035, 1065, 1092, 1100, 1017, 1815, 1512, 1204, 50, 2250, 1420, 2329.

JUDICIARY – HHR #31 – 8:30 a.m. –

HB's 1448, 1120, 1225, 2254, 2247, 1614, 1363, 234, 932, 2099, 1527, 302, 13, 1277, 391, 2141, 1210, 386, 1892.

SUBCOMMITTEE CALENDARS FOR TUESDAY, APRIL 14, 2009

CIVIL PRACTICE & PROCEDURE – HHR #31 – 12:00 noon –

HB's 1832, 126, 130, 736, 26, 680, 682, 1385, 1762, 711, 1137, 1986, 2154, 1519, 675, 1840, 841, 1598, HJR 108, HB's 2018, 325, 1407, 914, 2109, 1394, 1379, 2296, 1183, 608, 1457, 1736, 2243, 1358, 1576, 339, 346, 1409, 1528, 236, 1545, 2377, 1588, 2205, HJR 75, HB's 1450, 1503, 1504, 2232, 2236, 2237, 2315, HJR 103, HB's 1485, 1953, 317, 403, 473, 1812, 1432, 2325, 1579, 681, 847, 169, 2089, 1440, 1446, 1449, 2235, 1150.

CONSUMER AFFAIRS – HHR #30 – 8:30 a.m. –

HB's 1278, 2005, 764, 1612, 2276, 2100, 550.

EMPLOYEE AFFAIRS – HHR #29 – 1:30 p.m. –

HB's 397, 1916, 776, 1760, 480, 2162, 820, 1355, 1571, 1993, 311, 2190.

ENVIRONMENT – HHR #29 – Immediately following Conservation –

HB's 1972, 1615, 1616, 1617.

FAMILY JUSTICE – HHR #30 – 9:15 a.m. –

HB's 459, 829, 2295, 877, 362, 2372, 5.

HIGHER EDUCATION – HHR #29 – 8:30 p.m. –

HB's 1544, 808, 1851, 408, 648, 835, 1943, 6, 43, 44, 58, 2342, 1219, 1221, 1222, 1223, 1224.

PROFESSIONAL OCCUPATIONS – HHR #31 – 8:30 a.m. –

HB's 464, 722, 723, 1114, 1268, 1353, 1495, 1546, 1650, 1651, 1655, 1871, 1872, 1914, 2266.

PUBLIC HEALTH – HHR #30 – 4:00 p.m. –

HB's 219, 1586, 1810, 2351, HJR 127, HB 151.

PUBLIC SAFETY – HHR #16 – Immediately following Transportation –

HB's 293, 669, 982, 1426, 1910, 2052, 404.

RURAL ROADS – HHR #31 –

NO BILLS ON NOTICE – Committee will NOT meet.

SMALL BUSINESS – HHR #30 – 1:30 p.m. –

HB's 24, 34, 41, 1631, 1632, 1846, 1186, 1309, 472, 2085.

UTILITIES & BANKING – HHR #30 – 10:30 a.m. –

HB's 852, 235, 704, 792, 1423, 1842, 57, 1743, 1518.

WILDLIFE – HHR #30 – 2:15 p.m. –

HB's 456, 725, 970, 365, 958, 882.

SUBCOMMITTEE CALENDARS FOR WEDNESDAY, APRIL 15, 2009

BUDGET – HHR #29 – 11:00 a.m. –

HB's 1683, 210, 212, 2192, 348, HJR 150, HB's 1543, 2264, 268, 1653, 4, 253, 684, 1245, 1246, 1742, 372, 1929, 2330, 107, 280, 2042, HJR 149, HB's 782, 100, 1484, 614, 616, 2157, 2278, 1947, SJR 127, HB 1676.

CRIMINAL PRACTICE & PROCEDURE – HHR #31 – 12:00 noon –

HB's 2220, 2221, 609, 323, 860, 363, 861, 855, 856, 517, 1593, 619, 566, 435, 1293, 1961, 525, 526, 1212, 1284, 606, 607, 611, 612, 666, 2193, 1541, 1534, 1257, 1258, 1259, 1260, 1261, 1262, 1228, 457, 215, 714, 522, 1194, 1195, 1264, 724, 1837, 583, 1474, 584, 1547, 1455, 588, 589, 590, 591, 596, 1454, 1430, 1938, 1209, 1130, 1374, 1129, 27, 32, 476, 477, 1801, 1805, 1793, 1807, 1806, 925.

DOMESTIC RELATIONS – HHR #29 – 12:30 p.m. –

HB's 33, 2.

ELECTIONS – HHR #31 – 10:00 a.m. –

HB's 1421, 1838, 1283, 1841, 2046, 31.

GENERAL SUB – HHR #29 – 3:30 p.m. –

HB's 530, 537.

HEALTH CARE FACILITIES – HHR #30 – 12:30 p.m. –

HB's 25, 297, 448, 558, 631, 632, 633, 817, 950, 1295, 1434, 1435, 1532, 1585, 1737, 1942, 2282.

INDUSTRIAL IMPACT – HHR #30 – 10:00 a.m. –

HB's 636, 396, 65, 2105, 2367, 1461, 338, 1359, 1727, 2096, 1520, 912, 2304, 1671, 1251, 1252, 793, 1721.

K-12 – HHR #16 – 10:00 a.m. –

HB's 795, 2146, 103, 299, 553, 1220, 1524, 1525, 1684, 2293, 2321, 687, 922, 1865, 1868, 1685, 1866, 1867, 59, 122, 60, 1823, 1170, 2094, 1396, 1824, 689, 976, 1873.

(4/15/09 Subcommittee Calendars cont.)

LOCAL GOVERNMENT – HHR #29 – 9:15 a.m. –

HB's 1297, 1458, 2216, 1958, 1659, 22, 21, 1155, 1157, 1158, 1214, 1352, 1957, 1769, 1725, HJR 82, HB's 598, 1347, 214, 1673, 1558, 1184, 96, 2095, 2139, 2354, 2355, 2356.

PARKS & TOURISM – HHR #16 – 12:30 p.m. –

HJR 253.

STATE GOVERNMENT – HHR #29 – 8:30 a.m. –

HB's 52, 670, 2349, 2088, 2308, 40, 224, 610, 1578, 80, 1437, 2036.

HOUSE CONVENES AT 4:00 P.M., MONDAY, APRIL 13, 2009